

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 05-10394MLW

BELLA SANTE, INC.)
d/b/a BELLA SANTE DAY SPA)
and GROMAX ENTERPRISES, INC.,)
Plaintiffs,)
)
v.)
)
BELLA FONTE DAY SPA INC.)
Defendant.)
_____)

MOTION FOR PRELIMINARY INJUNCTION

Now come the Plaintiffs, Bella Sante, Inc., and Gromax Enterprises, Inc., and move this honorable Court to grant Plaintiffs' preliminary relief that the Defendant be restrained from using the words "Bella Fonte" or any colorable imitation, as a trade name or trade slogan in connection with the conduct of its business or as a part of its corporate name within the geographical areas of Massachusetts, New Hampshire, Maine, Rhode Island, and Connecticut.

In support of their motion, Bella Sante, Inc. and Gromax Enterprises, Inc. offer the Verified Complaint, verified by Tiffany Amorosino. The Plaintiffs further state that the likelihood of confusion as to the source or origin of the goods and services offered by the Plaintiffs using the name and mark "Bella Sante" with those of the Defendant, Bella Fonte, is irrefutable.

Wherefore, for the reasons set forth, Plaintiffs' Motion for a Preliminary Injunction should be granted.

Bella Sante, Inc. and
Gromax Enterprises, Inc.,
By its attorneys

Date: March 4, 2005

/s/ John E. Sutherland
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